

**REMARKS**

Claims 1-9 are currently pending in the application as amended. Applicants affirm the election of claims 1-9 for prosecution on the merits and the withdrawal of claims 11-14 in response to a restriction requirement. Claims 1 and 2 have been amended to overcome a rejection for indefiniteness and now recite that the page identifiers appear on successive page spreads. Claim 9 has been amended to depend from claim 1. Claim 10 has been canceled. No new matter has been added.

**Election/Restrictions:**

The Examiner has required restriction to one of the following inventions pursuant to 35 U.S.C. §121:

- I. Claims 1-10, drawn to a book encoded with optical page identification, classified in class 434, subclass 315; or
- II. Claims 11-14, drawn to a book-housing to receive a book and having touch sensitive material, classified in class 434, subclass 317.

Claim 10 having been canceled by this Amendment, Applicants affirm the election of group I, claims 1-9, provisionally made with traverse during a telephone conversation with the Examiner on June 18, 2007, for prosecution on the merits.

**Claim Rejections - 35 U.S.C. § 112:**

The Examiner has rejected claims 1-10 under 35 U.S.C. 112, second paragraph, as being indefinite. The Examiner contends that it is not clear from the recitation in claim 1 directed to the limitation for a first sequence of page identifiers whether other pages also contain these page identifiers or only the first page spread. Further, the Examiner contends that similar reasoning also applies to limitation for the second sequence of page identifiers in claim 1. Claim 2-8 were also rejected due to their dependency to a rejected claim. Still further, the Examiner contends that claim 9 contains the same ambiguity of claim 1. Applicants respectfully traverse this rejection in view of the foregoing amendment.

Applicants have amended independent claims 1 and 9 to recite, in pertinent part,

a first sequence of successive page identifiers associated with a first sequence of page spreads of the plurality of successive page spreads, . . . and a second sequence of successive page identifiers associated with a second sequence of page spreads of the plurality of successive page spreads.

Applicants have further amended claims 1 and 9, and additionally amended dependent claims 2 and 10, to consistently provide proper antecedent basis throughout these claims for reference to the first and second sequence of successive page identifiers. These amendments have been made to more particularly point out and distinctly claim that the page identifiers appear on more page spreads than just the first and second corresponding page spreads as disclosed in the specification.

Applicants respectfully submit that claims 1-10, as amended, are in full compliance with 35 U.S.C. §112, 2nd paragraph and request that the rejection of claims 1-10 be withdrawn.

**Claim Rejections - 35 U.S.C. § 103:**

The Examiner has rejected claim 1-10 rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,809,246 (Jeng ) in view of U.S. Patent No. 6,865,367 (Kim *et al.*). Applicants traverse the rejection by argument without amendment and respectfully request reconsideration of the rejection.

Regarding claim 1, referring to Fig. 2, items H1-H3, the Examiner contends that Jeng discloses a book encoded for optical page identification. Referring to Fig. 2, items 6a and 7a, col. 3:40-52, and col. 5:12-22, the Examiner further contends that Jeng discloses that the book has plurality of successive page spreads defined by a plurality of pages, that the page spreads have a sequence of page identifiers with each of the identifiers corresponding to a successive page spread having an overlayable arrangement of adjoining open and close hole location, and that each successive arrangement of the sequence increases in the total number of open hole location by at least one open hole location.

The Examiner admits that Jeng does not provide a teaching of another set of page identifiers that correspond to the other page spread, having an overlay-able arrangement of adjoining open and close hole location, each successive arrangement of the another set of page identifiers decreasing in total number of open hole location by at least one open hole location.

Applicants additionally submit that there is no objective teaching in Jeng that would enable one of ordinary skill in the art to modify the book taught by Jeng in a manner that would render the present invention obvious under 35 U.S.C. § 103(a).

To overcome the deficiencies in the teachings of Jeng, the Examiner relies on the secondary reference Kim *et al.* Referring to col. 4:45-65, the Examiner contends that Kim *et al.* provides a teaching of another set of page identifiers that correspond the other page spread, having an overlay-able arrangement of adjoining open and close hole location, each successive arrangement of the another set of page identifiers decreasing in total number of open hole location by at least one open hole location. Therefore, the Examiner contends that it would have been obvious for one of ordinary skilled in the art to include the limitation taught by Kim *et al.* into the book-apparatus of Jeng because it would enable the code to support more page.

Applicants have studied the disclosure in Kim *et al.* and more specifically the citation relied upon by the Examiner, the pertinent part of which is reproduced below

When the voice book shown in FIG. 3a is normally placed on the book support 100, six optical reflectors BP1 to BP6 are positioned just over the optical sensors PS1 to PS6 in a one-to-one mapping relationship. In such a case, light emitted from the light emitting elements of all the optical sensor PS to PS6 is reflected by all the optical reflectors BP1 to BP6, the front page S1 is sensed by the above described circuit, and the contents of the front page S1 are outputted as voice. This case is referred to as "reflection mode". Col.4, ln 43-51 (emphasis added)

Based on this disclosure, Applicants understand the "reflected mode" taught by Kim *et al.* to occur when all optical reflectors are positioned over the optical sensors in a one-to-one mapping relationship and that the condition that occurs when an individual optical reflector is positioned over the optical sensor to which it is mapped corresponds to "a closed-hole location" as recited in claim 1. Further, the corollary condition that occurs when an individual optical reflector is not positioned over the optical sensor to which it is mapped corresponds to "an open-hole position" as recited in claim 1.

Kim *et al.* further discloses:

When the front page S1 is turned to cause the first inner page S2 to appear as shown in FIG. 3b, five optical reflectors BP2 to BP6 are positioned in a one-to-one mapping relationship with five optical sensors PS2 to PS6. Col.4, ln 51-55 (emphasis added).

When the first inner page S2 is turned to cause the second inner page S3 to appear as shown in FIG. 3c, four optical reflectors BP3 to BP6 are positioned in a one-to-one mapping relationship with four optical sensors PS3 to PS6. Col.4, ln 60-64 (emphasis added).

In view of the above citations, when expressed in the language of claim 1, Kim *et al.* teaches the turning of a page increases by one the number of open-hole locations. Further, in the encoding scheme taught by Kim *et al.*, each successive arrangement of page identifiers increases in the total number of open hole location by at least one open hole location.

Contrary to the Examiner's contention, Kim *et al.* does not disclose a page-spread encoding scheme in which each successive arrangement of page identifiers decreases in the total number of open hole location by at least one open hole location. Instead, Kim *et al.* discloses a page-spread encoding scheme in which each successive arrangement of page identifiers increases in the total number of open hole location by at least one open hole location.

Consequently, Kim *et al.* does not teach an encoding scheme having a first sequence of successive page identifiers decreasing in a total number of open-hole locations. Accordingly, there is no objective teaching in Kim *et al.* that would enable one of ordinary skill in the art to modify the Kim *et al.* book in a manner that would render the present invention obvious under 35 U.S.C. § 103(a).

Although there is no objective teaching in Jeng or Kim *et al.*, nor is there knowledge generally available to one of ordinary skill in the art, that would lead the artisan to combine the two references, even if Jeng and Kim *et al.* were combinable, claim 1 is patentably distinguishable over the combination as neither reference discloses a first sequence of successive page identifiers decreasing in a total number of open-hole locations as recited in claim 1.

Regarding claims 1-8, each depends directly or indirectly from claim 1 and by such dependency recites a first sequence of successive page identifiers decreasing in a total number of open-hole locations. Accordingly, for the foregoing reasons claims 2-8 are patentably distinguishable over the combination of Jeng and Kim *et al.*.

Regarding claims 9 and claim10, Applicants have amended claim 9 to depend directly from claim 1 and canceled claim 10. Accordingly, the arguments set forth above for claim 1 are equally applicable to claim 9 and for brevity are not repeated, and the rejection of claim 10 is moot.

In view of the foregoing argument, Applicants believe that claim 1-9 are patentably distinct over Jeng in view of Kim *et al.* Accordingly, Applicant respectfully requests that the rejection of claims 1-9 be withdrawn.

**CONCLUSION**

In view of the foregoing Amendment and remarks, Applicants respectfully submit that the present application, including claims 1-9, is in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

**JOHN W. TAYLOR, et al.**

September 13, 2007  
(Date)

By:

*Richard A. Woldin*

**RICHARD A. WOLDIN**

Registration No. 37,987

**AKIN GUMP STRAUSS HAUER & FELD LLP**

One Commerce Square

2005 Market Street, Suite 2200

Philadelphia, PA 19103-7013

Telephone: 215-965-1200

**Direct Dial: 215-965-1296**

Facsimile: 215-965-1210

E-Mail: [rwoldin@akingump.com](mailto:rwoldin@akingump.com)